

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Request for Waiver of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Glen Mills Schools	)	File No. SLD- 364420
Concordville, Pennsylvania	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	
Changes to the Board of Directors of the	)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.	)	

**ORDER**

**Adopted: March 21, 2003**

**Released: March 24, 2003**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Waiver filed by Glen Mills Schools (Glen Mills), Concordville, Pennsylvania.<sup>1</sup> Prior to the time that Glen Mills filed its request with the Commission, it filed a request for review with the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>2</sup> For the reasons set forth below, we dismiss Glen Mills' Request for Waiver to the Commission without prejudice.

2. The Commission's rules regarding appeals of SLD decisions do not contemplate simultaneous requests to the Commission and the Administrator.<sup>3</sup> In this case, because Glen Mills has a request pending before the Administrator, we dismiss Glen Mills' Request for Waiver to the Commission without prejudice. Once the Administrator has issued its decision on

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<sup>1</sup> Letter from Mary McNeal, Glen Mills Schools, to Federal Communications Commission, filed February 24, 2003 (Request for Waiver).

<sup>2</sup> Letter from Mary McNeal, Glen Mills Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed February 14, 2003 (Request for Administrator Review).

<sup>3</sup> 47 C.F.R. § 54.720 (allowing appeals to either the Commission or the Administrator, but tolling the filing period with the Commission, when an applicant has an appeal pending with the Administrator, until the Administrator issues a decision on the appeal).

Glen Mills' initial request, Glen Mills may then appeal to the Commission if it believes such appeal is warranted at that time.<sup>4</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Waiver filed by Glen Mills Schools, Concordville, Pennsylvania, on February 24, 2003, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>4</sup> See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rights of review, filing deadlines, standards of review, and other rules pertaining to Commission review of the Administrator's decisions).